to the Memory of Gov. A. G. Brown. MAGGIE A. DOWNING,

Genel and can it be? far, far away from sight. The public form of our beloved vetran lies, Locked in the portals of a tomb of night, No more to meet on earth our loving eyes. Is that great towering mind aslesp That waked the nation's pride,

And made the strong man weep, Ot with its southing tones the tear-drop dried?

w/eatho Fair garlands for the dead; alas! The cold chilling clods are resting on the

That now lies throbless us the clay; The generous hand reposes there in restthe mold blue eye no longer sees the day. and what of this "-a man, perhaps the world

may my is dead, Quother mortal has but passed away; Another here for his country bravely bled, Amends lanely grave is filled with dust, With mother earth his sacred ashes blend. And so about this !- in volumes does it speak

Were only unity, lost a friend, auger rolled above. The nathant Paradise so fair,

and this only, one pure gem alone was collor in vacation, and upon such terms as the is dissolved.

In all its publy,-Eriendship, a link with That e ears the darkest way.
A televidale was indeed, to old and young,
A tear he had for bitter auguish, too.

a par man sery never unbeeded rung pay sis our, and often true ant or his solicitor is present in court, when an amendment is made, no other notice shall "When With a wally gifts of lave, Hernest by his own hand with magic of a

Caught from the stars above.

tymes the true, from out this vale of tears, of print on the sand, her ever in the heuris of all shall ring through and me buly shall again reclaim the soul,

all in happiness larever dwell, ring that saddest word of all farewell -----SUPREME COURT DECISIONS.

Reported for The Clarlon by L. Brame, Attorncy-at-Law, Jackson, Miss. APRYL TERM, 1880.

Caragor J. Osmorne,)

J. W. CHUMBS

Trophridge, deeds being executed. Trow-bridge paid Crump \$2.20 at the \$6,000, which was advanced by Osborne, and executed his orn note for the balance due of \$2 350. At WHEN DEFENDANT SHALL PLEAD. he assignment of a marigage on property in motion to set axide a pro confesso. \$ 1886. good security for the \$2,500. The New Jersey To 5 1022, Code 1871, add: "but an answer may be required to be worthless, and Trow-may be required to be filed during the same term, and should be where the plea or demur-

1. The judgment was clearly wrong. It was takes enjoined. § 1908. The spirit of enlightened jurisprudence is to administer justice. Courts exist for the enforcement at rights, and not as places for the exhibition of professional cunning and judi-cial spartness as to subtleties which formerly Onstituted so large a part of the common law. The amendment should have been permitted.

J. B. H. Hemingway, for appellant. J. W. Jenkins, contra. [To be reported, 57 Miss., 612.]

FOR THE CLARION. THE NEW CODE.

No. 13.

CHAPTER 59 .- CHANCERY COURT .- con

will not attempt to give even a synopsis of swer filed, three days notice. § 1914. the entire law. My endeavor will be to show all the important new provisions, and to indicate the most striking of the changes that have been made. Where no mention is made of a change, it will be understood that the provisions of the law now in force are in substance, if not literally, retained.

"A motion to dissolve an injunction upon bill and answershall not be entertained, pending exceptions to the answer for insufficiency, unless the chancellor shall be of the opinion that the matters of exception would not affect the motion, even if they are well taken."

E WEEKLY CLARION.

JACKSON, MISSISSIPPI, WEDNESDAY, AUGUST 25, 1880.

either following the address of the bill, thus: A. B., a citizen of ----- complainment, v. C. D. and E. F., citizens of ----, defendants, or in the body of the bill. \$ 1866.

manner as bills." 3 1867. The form here prescribed is a marked improvement on that given in the Code of 1871.

VOLUME XLIII.

shall be considered as if copied in it on de- thereon." | 1918. Section 1869. This section changes the

The whispering winds in lowly accents breathe a requiring to bis memory as they pass, and the lovely forests with softest tendrils.

The whispering winds in lowly accents breathe established rule, by which an exhibit can not be looked to, either in support of or against a demurrer, although it may be filed with and the lovely forests with softest tendrils.

Upon the dissolution of an injunction, the party claiming damages, may suggest in writing, the nature of the damages, and amount twenty-one years, or unless being summoned. referred to as a part of the bill; and it is very proper that the change is made, for in many be disposed of as a matter of law upon demurrer, if the effect of the exhibits can be considered, thus saving the trouble, expense and delay of answering, taking testimony and godelay of answering, taking testimony and go- same on the bond. § 1919. ing to a final hearing of the facts.

SWORN ANSWER, UNLESS WAIVED. The answer shall be sworn to by the defendant, unless the complainant, in his hill, shall waive an answer under oath, in which case the Has been to Death's demand the debt to pay, answer, whether sworn to or not, shall not be

evidence for the respondent." 3 1874.

"The complainant may amend his bill, as of course, without applying to the court, at any time before the defendant has made defence, died, state facial may be issued against the said obligious before the defendant has made defence, died, state facial may be issued against the said obligious have upon complainant paying the said obligious died, state facial may be issued before have a formall-ah, methinks, when Sin in darkest ling a copy of the amendment to such of the ment against them, a separate execution may defendants as have taken out copies of the be issued as to them, if satisfaction of the original bill, and of notice of such amendment judgment has not been had." § 1920.

And dashed away the cup of perfect happiness In all other cases the complainant can amend

his bill only by leave of the court, or the chan-

court or chancellor may impose," § 1882. DEFENDANT TO ANSWER AMENDMENT. and an answer to the amendment is necessary, the defendant shall be allowed twenty days after notice of the amendment, to answer, full ing in which the matter of the amenda may be taken as confussed, and if the defend-

be required." # 1888. HOW AMENDMENTS MADE. "Amendments of bills and answers shall be

erasure or interlineation with ink of a different color from that in which the bill or answer is written; and the amendment shall be made in such a manner that it may be ascertained here neverthrough those pearly gates of old, with certainty in what it consists." | 1884. NEW PARTIES.

"A complainant desiring to make new parties to his bill may hie his amended bill for that purpose in the clerk's office, in vacation, without leave of the court or chancellor; and thereupon the clerk shall issue process upon such bill, in like manner is if it was an original bill. 3 1885

MULTIFARIOUSNESS. "The uniting in one bill of several distinct and unconnected matters of equity against

the same defendants, shall not be an objection

he request of Trowbridge, Cramp assigned to | \$ 1021, Code 1871, is amended by striking observe his original trust deed executed by out the words "of publication," also that por- ed by the Code of 1871. Smith, and received from Trowbridge in lieu, tion of the section requiring an affidavit on ADDITIONAL TIME.

"The address of bills may be, "To the Chancery Court of the county of ___;" and may commence as follows, to-wit:

"The complainant shows to the court" and the residence of the parties must be stated, \$ 1916,

DAMAGES ON DISSOLUTION. To \$ 1051, Code 1871, a d: "unless the value thirty days. \$ 1952. of the property, the sale of which was re-strained, is less than the amount of the debt, "Petitions may be addressed in the same in which case the damages shall be computed on the value of the property, which shall be ascertained and determined by the chancellor: and in all cases upon the dissolution of an in-junction, the domages may be ascertained by

DECREE FOR DAMAGES.

indgment for money, upon the dissolution of such injunction, in whole or in part, shall have in the time limited, to re-open any decree, (exobligars, and being certified by the clerk of the court in which it is filed to the clerk of the court in which the judgment was rendered, may be re-opened, which are made "for the presentatives, and, on revival of such judg-

\$ 1052 Code 1871, is so amended as to require "When a bill is amended, after answer filed, five, instead of ten, days notice of an application for the appointment of a receiver. § 1921. MONEY PAID INTO COURT,

ordered to be paid to the clerk of such court, made on paper, distinct from the bill or his official bond shall cover it, and an addi-answer, except where the amendment is of a brief character, when it may be made by an chancellor shall think proper. 3 1925.

> be necessary for the protection of the estate of decedents, minors and persons of unsound mind, a receiver may be appointed either by the court or by the chancellor in vacation, next. subject to the foregoing provisions." All other provisions of the Code of 1871 in relation to receivers are retained.

COMMISSIONERS-BOND REQUIRED. The court or chancellor may require of a commissioner in any case a bond, conditioned to pay all money which may come into his hands, 3 1932.

FORECLOSURE—DECREE FOR BALANCE.

as in circuit courts," § 1936. These rules do not differ from those prescrib-

From a decree in vacation overruling a demurrer, the clerk may grant an appeal within

DECREE AS A CONVEYANCE. When a decree shall require a conveyance or release, and the party shall not comply therewith, such decree shall operate perse as a conveyance or release; or the court may ap-EXHIBITS PART OF BILL.

the court or chancellar, or upon reference to a masser, and proof, if necessary, and decree point a commissioner to execute the writing.

"Exhibits filed with a bill, as part of it, therefor he made, and execution be issued 2 1954.

WHEN DECREE BINDING ON MINOR. "When a decree shall be made for the conclaimed, and the court or chancellor may hear forthat purpose, or served with a copy of the evidence, orally or by deposition, and entera decree, he shall within six months after atcases, the whole merits of the controversy can be disposed of as a matter of law upon denor-

sale or conveyance of the real estate of an in-

These provisions certainly give a very sum- within two years, re-open the decree and, by maty remedy for damages when an injunction | evidence aliande, surcharge the account, saving

In lieu of § 1055, Code 1871, the following is the sheriff. The clerk shall issue all proper process, returnable to the next term of the "When money shall be paid into court under its order, a receiver may be appointed to keep the same, who shall give bond and security, law. § 1956. FIERI FACIAS; GARNISHMENT,

"Whenever the court shall render an order, hanceflor shall think proper. § 1925.

ESTATES OF MINORS AND OTHERS.

"In all cases in which it may be thought to

ing down to coming ages, animating all the people of all time to mighty deeds of good to first meeting of the brothers it was deter-

people are solid for that superb man whose separate tribes, each occupying their respectionality. Pushmataha, Mashuletubbee, Ho

The bereparred, of Miss. 822.

It also be all const thereof. 2 100.

It is an interest and a 100 for being and the second of the

GOT IT BAD.

A gushing girl of Kentucky, who signs her-self "Brante," is the author of the following, from the Courier-Journal:

Kiss me quick, kiss me nice, Kiss me once, ki-s me twice; Kiss me often, kiss me long. Kiss me boldly, is "Birdie's" song. Hold me tight in fond embrace. Mouth to mouth, face to face : Sparkling eyes, blue as skies. Sparkling love that never dies.

Ruby lips in passion meet Glued together with nectar sweet, Scented breath or lilie's flower, Intoxicates with Cupid's power. Roguish dimples on rosy cheek, Blushes, playing hide and seek; Honey kisses, often given, Love tokens so sweetly riven,

THE MISSISSIPPI INDIANS. From Cliaborne's History of Mississippi. by guardians, and under useds of the mortgages." § 1955.

The Choctaws, and Creeks, or Muscogees, were in occupation of a large portion of what now constitutes the States of Muscogees, were in occupation of a large portion of what now constitutes the States of Muscogees, were in occupation of a large portion of what now constitutes the States of Muscogees, were in occupation of a large portion of what now constitutes the States of Muscogees, were in occupation of a large portion of what now constitutes the States of Muscogees, were in occupation of a large portion of what now constitutes the States of Muscogees, were in occupation of a large portion of what now constitutes the States of Muscogees, were in occupation of a large portion of what now constitutes the States of Muscogees, were in occupation of a large portion of what now constitutes the States of Muscogees, were in occupation of a large portion of what now constitutes the States of Muscogees, were in occupation of a large portion of what now constitutes the States of Muscogees, were in occupation of a large portion of what now constitutes the States of Muscogees, were in occupation of a large portion of what now constitutes the States of Muscogees, were in occupation of a large portion of what now constitutes the States of Muscogees, were in occupation of a large portion of what now constitutes the States of Muscogees, were in occupation of a large portion of what now constitutes the States of Muscogees, were in occupation of a large portion of what now constitutes the States of Muscogees, were in occupation of a large portion of what now constitutes the States of Muscogees, were in occupation of a large portion of what now constitutes the States of Muscogees, were in occupation of a large portion of what now constitutes the States of Muscogees, were in occupation of a large portion of what now constitutes the States of Muscogees, were in occupation of a large portion of what now constitutes the States of Muscogees, were in occupation of a large port

Board of Commissioners established by the United States to inquire into and adjudicate the claims of the Choctaws growing out of the last treaty made with them, prior to their removal West, and for months at a their creation. After the fight, the the survivors met, smoked the pipe of peace, and separated. Until the two tribes removed to the west, it was their custom to assemble at this fatal field every year, to their removal West, and for months at a mourn for the slain. After the fight, the the ast treaty made with them, prior to the slain. After the fight, the and the warriors dance it home. This to alarm the warriors and children and inflan time a thousand Indians were assembled Creeks, although they had won the pond, dance lasts all night, and often continues the men of the North could not have

work.

The Democratic party of Mississippi points with pride to the history of its administration of the State Government for the last four years. When it came into power it found the The hunters of the Chocchumas—a once

In 1842-3, the writer presided over a required a week to inter the dead, and then were employed to take up the pole, receive wanted was to get into power and then the

from, the exodus of the Israelites, and "the cloud by day and the pillar of fire by night" has been drained and cultivated. A numis for the curious to determine; but the list the li

er, it was afterwards ascertained, settled In 1811, when the celebrated Tecumsel Animated by these sentiments, the Southern | mined that the two clans should constitute | met the Choctaws in council in this same PROOF OF EXHIBITS.

"Exhibits to bills or answers may be proved of the derived of

As late as 1845, there died in the south- should betray such weakness, and with one They tell you the governor As late as 1845, there died in the south-ern part of Noxubee, an Indian known as Stonie Hadje, supposed to be over one hun-dred years old. He was much esteemed by the fell. The women of his family cried over his grave, but the warriors closed the

a ball play. Each tribe selected fifty champion players. They commenced their preparations with the new moon, and these parations with the new moon, and these were not completed until the full of the were not completed until the full of the accepted in satisfaction. The party about the Democratic party on an third moon. Large supplies of provisions to die spent the preceding night in chant- ern members? were provided, and the players had been subjected to the proper regimen and drill.

In the proper regimen and drill. Five thousand Indians camped around the ground. The principal Creek chief then hawked by one of his kindred, and thus the slaver, for these things are represented. paid a visit of ceremony to the great chief feud was extinguished.

came, is merely traditional and has never been established. The Natchez tribes, and the Caddo's on Red river, had preceded them, and these had been preceded by the mound builders. All the Indian traditions dimly shadow a gigantic race of people, their dimly shadow a gigantic race of people, their well of triumph resounded over the field. ignt."

In reference, however, to the final settlement of an executor, administratar, or guardian, it is provided by \$2070 of the new code, that any person interested may, at any time within two years, re-open the decree and, by evidence allural, surfage the account, saving to minors and persons of unsound mind, the same time after the remaval of their disability, which is same time after the remaval of their disability, which is same time after the remaval of their disability, which is same time after the remaval of their disability, which is same time after the remaval of their disability, which is same time after the remaval of their disability, which is same time after the remaval of their disability, which is same time after the remaval of their disability, which is same time after the remaval of their disability, which is same time after the remaval of their disability, which is same time after the remaval of their disability, which is same time after the remaval of their disability, which is same time after the remaval of their disability, which is same time after the remaval of their disability, which is same time after the remaval of their disability, which is same time after the remaval of their disability, which is same time after the remaval of their disability, which is all night and until eight next morning. In the same time after the remaval of their disability, which is all night and until eight next morning. The combatants cased from sheer exhausting and their disability which is the same time after the remaval of their disability which is all night and until eight next morning. The combatants cased from sheer exhausting the content of the disability of the new decree and, by the words of the pole, where it lingered till the funct ceremoving a hoop. When the last hoop was removed, the corner of the following the corner of the fol

[To be Continued.] GENERAL CHALMERS' SPEECH AT YONKERS, NEW YORK.

Secretical content in the simple production of the production of t

the whites. He was a Creek by birth, a Choctaw by adoption. He said that in ancient times—perhaps about 1790—there was a large pond near Noxubee river much resorted to by beavers. The Creeks claimed it because they had discovered it; the Choctaws because it was within their boundaries. Beaver skins were in demand at Pensacoand Mobile. Neither party mould give in, but it was finally agreed to determine it by a ball play. Each tribe selected fifty cham-"Whenever the court shall render an order, judgment, or decree, for the payment of money against any executor, administrator, or guardian, or any other party litigant therein, a compliance with such order, judgment, or decree may be enforced by process of fierifacias to regarmishment." 2 1956.

For want of space, this chapter cannot be concluded in this article, but will be in the next.

L. BRAME, Jackson, Aug. 25, 1880.

[To be continued.]

A RINGING ADDRESS

Extract From the Address of the Hon.

J. W. Fewell, Chairman of the Executive Committee of Lauderdale County.

The Chourant of the continued has been derived from, the exodus of the Israelites, and "the places of the Noxubee and payment of the Samin. After the fight, had won the pond, tacitly relinquished it to the Choctaws, who say that the beavers deserted it to the Choctaws, who say that the choicing the distinct of the Choctaws, who are formed by process of fierifacias to grantly the place of the Great Spirit.

In 1832, one Charles Dobbs settled on this table party is experimently to the Execution.

In 1832, one Charles Dobbs found therein and pointed out the places of sepulture. Dobbs found therein and pointed out the places of sepulture. Dobbs found therein and pointed out the places of sepulture. Dobbs found therein and pointed out the places of sepulture. Dobbs found therein and pointed out the places of sepulture and linguished it to the Choctaws, who are the Choctaws, who are the beavers deserted it directly after the fight, denoting the distinctive and the Maller the place and the lead of their respective less as or dear. On the search of the Saminian the mentions to the Republican and will the whole party is exhausted, because it is a long journey the spirit shot make the construction of the Saminian the mention and the men A great from the Crankery Court of Bolivar County, How. W. 6. Phelips, Chancellor.

County How. Chocksaws.

The decide by principles and not by sectable treatition of the collect and best established tradition of resulted in war. A pitched battle county shill the oldest and best established tradition of resulted in war. A pitched battle county shill the oldest and best established tradition of resulted farm, in the other how for the nomination of him who state the Pseudency, But to return to my question. When I and others sought to seedle from the Union you brought us back. What, I ask, did you want with us, if we are dangerous to the peace of the Union?

SPECIAL DISPATCH TO THE WORLD.]

YONKERS, N. Y., August 10.—The campaign was openep here last night with an enthusiastic mass meeting. Congressman Chalmers, of Mississippi, was the speaker of the evening. He was introduced by Waldo Hutchins, who

18 TAX CASES

Bond shall be in double the amount of the amount of control of the report of the repor